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PATENT
P55971
Walden

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES

In re Application of:

Appeal No.

KI-SEON KIM *et al.*

Serial No.: 09/503,240

Examiner: FISHER, MICHAEL

Filed: 14 February 2000

Art Unit: 3629

For: MONITOR CASE COMPRISING FACILE DETACH STRUCTURE

Attn: Board of Patent Appeals and Interferences

REPLY BRIEF

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Sir:

Pursuant to 37 C.F.R. §1.193(a) and (b), Appellant hereby requests entry of this Reply Brief in response to the Examiner's Answer mailed on 2 December 2003 (Paper No. 26).

This Reply Brief is filed in triplicate (37 C.F.R. §1.192(a)), together with a written Request for An Oral Hearing before the Board of Patent Appeals and Interferences, and the statutory fee incurred by that request.

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Date: 1/28/04
I.D.: REB/HMZ/kf

REMARKS

In response to the December 2, 2003 Examiner's Answer (Paper No. 26), the following remarks are submitted:

Claims 1, 13, 16, and 21 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of Kim *et al.* (U.S. Patent No. 6,233,026). Furthermore, claims 1, 13, 16, and 21 have been rejected under 35 U.S.C. § 103 as obvious over Beak (U.S. Patent 5,863,106).

Claims 1-11 of Kim *et al.* include independent claims 1, 4, 6, 8, 9, 10, and 11. Each of these independent claims recites a front case having a cathode ray tube installed at the rear portion thereof and a bottom shield that is secured to the front case.

On the other hand, claim 1 of the present application recites a front casing, a rear casing, and an engaging portion arranged to enclose a cathode ray tube between the front and rear casings. Similarly, claim 13 of the present application recites a front casing, a rear casing, and a detent portion and a guide arranged to enclose a cathode ray tube between the front and rear casings. Claim 16 of the present application is similar to claims 1 and 13 but recites a wall surrounding a first hole engaging with an engaging pin and including a snap pin to attach front and rear casings receiving a cathode ray tube. Claim 21 of the present application is a method claim reciting forming front and rear casings attached together by at least one engaging portion and snap portion

and snap pin.

While claims 1-11 of Kim *et al.* superficially bear similarities to claims 1, 13, 16, and 21 of the present application, the Examiner has incorrectly argued that the recited bottom shield of Kim *et al.* can be ignored in comparing 1, 13, 16, and 21 of the present application and claims 1-11 of Kim *et al.*

Appellants strongly disagree with the Examiner's arguments in that Kim *et al.* is specifically directed to a monitor comprising a snap engaging bottom shield as noted in the title and abstract of Kim *et al.* The entire thrust of Kim *et al.* is directed to securing the bottom shield to the front case of the monitor arrangements.

Furthermore, Kim *et al.* illustrates but does not even discuss how the rear case 6 thereof is attached to the front case 4 thereof nor do claims 1-11 of Kim *et al.* even recite a rear case.

Accordingly, it is submitted that claims 1, 13, 16, and 21 of the present application recite features, such as the rear case and the elements used to secure the front case to the rear case, that are neither taught nor suggested by Kim *et al.* nor obvious thereover. Furthermore, it is submitted that the bottom shield recited in claims 1-11 of Kim *et al.* and not cited in claims 1, 13, 16, and 21 of the present application cannot be ignored since the bottom shield of Kim *et al.* is in fact the subject matter of the recited invention of Kim *et al.*

Beak is related to an apparatus for affixing a printed circuit board within a monitor case. A front case and a rear case each including coupling arrangements to secure the printed circuit board to the bottom portions thereof.

Beak does not teach or suggest the recited elements of claims 1, 13, 16, and 21 of the present application used to secure the front and rear casings nor would such recited elements be obvious thereover. Furthermore, Beak does not teach or suggest or even consider the recited elements of claims 1, 13, 16, and 21 of the present application used to secure the front and rear casings being arranged at both upper and lower portions of the front and rear casings nor would the arrangements of such recited elements be obvious thereover.

That is, Beak does not teach or suggest securing the front and rear casings together as recited in claims 1, 13, 16, and 21 of the present application nor does Beak teach or suggest securing the front and rear casings together at both the top and bottom portions thereof as recited in claims 1, 13, 16, and 21 of the present application, nor would such features be obvious thereover.

In view of the above, it is submitted that the Examiner's rejection of claims 1, 13, 16, and 21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of Kim *et al.* and the Examiner's rejection of claims 1, 13, 16, and 21 under 35 U.S.C. § 103 as obvious over Beak are incorrect and accordingly, it is respectfully

requested that the Examiner's rejections be reversed.

A Request for Oral Hearing and an Appellants' check in the amount of \$290.00 drawn to the order of Commissioner accompany this Reply Brief. Should the Request and/or check become lost, the Commissioner is kindly requested to treat this paragraph as such a request, and is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fee.

Respectfully submitted,



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Folio: P55971
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